

L9289.05103

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/524,213

**TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A SUBMISSION UNDER 35 U.S.C. 371**

INTERNATIONAL APPLICATION NO.  
PCT/JP2004/001633

INTERNATIONAL FILING DATE  
February 16, 2004

PRIORITY DATE CLAIMED  
February 17, 2003

**TITLE OF INVENTION**

**METHOD FOR ESTIMATING NOISE POWER AND NOISE POWER ESTIMATION APPARATUS**

**APPLICANT(S) FOR DO/EO/US**

Masaru FUKUOKA, Atsushi SUMASU  
Sadayuki ABETA, Noriyuki MAEDA and Hiroyuki ATARASHI

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (24) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371 (c)(2))
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).
11. ☐ A copy of the International Preliminary Examination Report (PCT/IPEA/409).
12. ☐ A copy of the International Search Report (PCT/ISA/210).

**Items 13 to 23 below concern document(s) or information included:**

13. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
14. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
15. ☐ A **FIRST** preliminary amendment.
16. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
17. ☐ A substitute specification.
18. ☐ A power of attorney and/or change of address letter.
19. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 - 1.825.
20. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
21. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
22. ☐ Express Mail Label No.
23. ☒ Other items or information:

Copy of Notification of Missing Requirements  
Cover Letter Accompanying Declaration  
Cover Letter Accompanying Response

U.S. APPLICATION NO (if known, see 37 CFR 1.5) <b>10/524,213</b>		INTERNATIONAL APPLICATION NO. <b>PCT/JP2004/001633</b>		ATTORNEY'S DOCKET NUMBER <b>L9289.05103</b>	
The following fees are submitted:				<b>CALCULATIONS</b>	<b>PTO USE</b>
24. <input type="checkbox"/> Basic national fee .....				\$300	\$0.00
25. <input type="checkbox"/> Examination fee If international preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) .....				\$100	\$0.00
All other situations .....				\$200	
26. <input type="checkbox"/> Search fee .....					
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority .....				\$100	
International Search Report prepared and provided to the Office .....				\$400	
All other situations .....				\$500	\$0.00
<b>TOTAL OF 24, 25 and 26 =</b>				\$	\$0.00
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole)		RATE	
- 100 =	0	/50 =		0	x \$250.00
				\$	\$0.00
Surcharge of \$130.00 for furnishing the oath or declaration later than months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	\$130.00
CLAIMS	NUMBER FILED	NUMBER EXTRA		RATE	
Total claims	6 - 20 =	0		x \$50.00	\$0.00
Independent claims	2 - 3 =	0		x \$200.00	\$0.00
MULTIPLE DEPENDENT CLAIMS (if applicable) <input type="checkbox"/> + \$360.00				\$	\$0.00
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$	\$130.00
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	\$0.00
<b>SUBTOTAL =</b>				\$	\$130.00
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	\$0.00
<b>TOTAL NATIONAL FEE =</b>				\$	\$130.00
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property +				\$	\$40.00
<b>TOTAL FEES ENCLOSED =</b>				\$	\$170.00
				Amount to be	\$
				Amount to be	\$
a. <input checked="" type="checkbox"/> A check in the amount of \$ <b>\$170.00</b> to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of _____ to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Director is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <b>19-4375</b> . A duplicate copy of this sheet is enclosed. d. <input type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
<b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.					
SEND ALL CORRESPONDENCE TO: <b>James E. Ledbetter</b> <b>STEVENS, DAVIS, MILLER &amp; MOSHER, LLP</b> <b>1615 L. Street, NW, Suite 850</b> <b>Washington, DC 20036</b>					
				SIGNATURE	
				James E. Ledbetter	
				NAME	
				28,732	
				REGISTRATION NUMBER	

#3

Rec'd PCPTO 18 JUL 2005  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Masaru FUKUOKA, et al.

Application No.: 10/524,213

Filed: February 10, 2005

For: METHOD FOR ESTIMATING NOISE POWER AND NOISE  
POWER ESTIMATION APPARATUS

COVER LETTER ACCOMPANYING DECLARATION

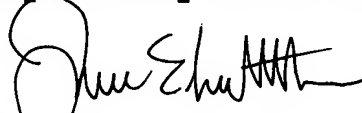
Assistant Commissioner of Patents  
Washington, DC 20231

Sir:

Pursuant to MPEP 602, this cover letter accompanies the attached Declaration for Patent Application in the above-captioned application. The attached Declaration identifies the title which was on the specification as filed and the filing date of February 10, 2005. This cover letter accurately identifies the application for which the attached Declaration was intended as application number 10/524,213. A Submission in response to the Notification of Missing Requirements dated May 26, 2005 is attached.

Early and favorable consideration of this application is respectfully requested.

Respectfully submitted,



James E. Ledbetter  
Registration No. 28,732

Date: July 18, 2005

JEL/ejw  
ATTORNEY DOCKET NO. L9289.05103  
STEVENS, DAVIS, MILLER & MOSHER, L.L.P.  
1615 L Street, NW, Suite 850  
P.O. Box 34387  
Washington, DC 20043-4387  
Telephone: (202) 785-0100  
Facsimile: (202) 408-5200

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Inventors: Masaru FUKUOKA, et al.

Application No.: 10/524,213

Filed: February 10, 2005

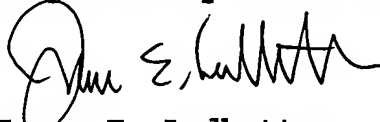
For: METHOD FOR ESTIMATING NOISE POWER AND NOISE  
POWER ESTIMATION APPARATUSCOVER LETTER ACCOMPANYING RESPONSEAssistant Commissioner of Patents  
Washington, DC 20231

Sir:

The Notice of Missing Requirements erroneously stated that four independent claims were filed in this application, whereas only two independent claims were filed.

Correction of this error is respectfully requested.

Respectfully submitted,



Date: July 18, 2005

James E. Ledbetter  
Registration No. 28,732

JEL/ejw

ATTORNEY DOCKET NO. L9289.05103

STEVENS, DAVIS, MILLER &amp; MOSHER, L.L.P.

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Rec'd PCT/PTO

18 JUL 2005

H3



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/524,213	Masaru Fukuoka	L9289.05103

INTERNATIONAL APPLICATION NO.
PCT/JP04/01633

LA. FILING DATE	PRIORITY DATE
02/16/2004	02/17/2003

24257

STEVENS DAVIS MILLER & MOSHER, LLP  
 1615 L STREET, NW  
 SUITE 850  
 WASHINGTON, DC 20036

RESPONSE DUE 7/26/05  
 DOCKETED DATE 6/1/05  
 BY CAB

CONFIRMATION NO. 6402  
 371 FORMALITIES LETTER  
 \*OC000000016109302\*  
 \*OC000000016109302\*

Date Mailed: 05/26/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 02/10/2005
- Copy of the International Search Report filed on 02/10/2005
- Request for Immediate Examination filed on 02/10/2005
- U.S. Basic National Fees filed on 02/10/2005
- Priority Documents filed on 02/10/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of **\$200** as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$200** for a Large Entity:

- Total additional claim fee(s) for this application is **\$ 200**
  - **\$200** for 1 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PAULETTE R KIDWELL

Telephone: (703) 308-9140 EXT 216

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/524,213	PCT/JP04/01633	L9289.05103

FORM PCT/DO/EO/905 (371 Formalities Notice)